

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

SHEILA DINGER,

HON. GORDON J. QUIST

Plaintiff,

Case No. 1:18-cv-00556-GJQ-PJG

v.

BENZIE COUNTY; BENZIE COUNTY

ANIMAL CONTROL;

JAMIE CROEL, in her individual and official capacity and

KYLE MAURER, in his individual and official capacity.

Defendants.

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PLAINTIFF'S RULE 26(a)(1)(A) DISCLOSURES

- I. **Fed.R.Civ.P. 26(a)(1)(A)(i) / Witnesses:** The following individuals are likely to have discoverable information that Plaintiff may use to support her claims in this matter:
1. Sheila Dinger, c/o Plaintiff's counsel. Ms. Dinger will testify regarding his claims in this matter, as well as Defendants' alleged defenses.
 2. Jamie Croel, c/o counsel for Defendants. Mrs. Croel is expected to testify with respect to the claims in this matter.
 3. Kyle Maurer, c/o counsel for Defendants. Mr. Maurer is expected to testify with respect to the claims in this matter.
 4. Melody Taylor, Pawsitively Beautiful, Traverse City, Michigan. Ms. Taylor is expected to testify regarding the care provided by Ms. Dinger to her animals.

5. Dr. Diana Raddatz, DVM, Long Lake Animal Hospital. 9929 North Long Lake Road, Traverse City, MI 49685. Dr. Raddatz is expected to testify regarding the care provided to and the condition of Ms. Dinger's animals.
 6. Deb Zerafa. Ms. Zerafa may testify regarding the claims and allegations set forth in the complaint.
 7. Jeff Pierce. Mr. Pierce may testify regarding Defendants' removal of Ms. Dinger's animals.
 8. Taylor Pierce. Ms. Pierce may testify regarding Defendants' removal of Ms. Dinger's animals.
 9. Dr. Robin Whitney, DVM, Lake Area Mobile Vet Practice, 6240 S. 27th Road, Cadillac, MI 49601.
 10. Dr. David Nelson, DVM. 9671 Honor Highway, Honor, MI 49640. Mr. Nelson may testify regarding care provided and statements made regarding Ms. Dinger's animals.
 11. Any and all representatives of Benzie County, Benzie County Animal Control and or Benzie County Sheriff's Department. These witnesses may be called to testify regarding their respective policies and procedures pursuant to the applicable animal control ordinance at issue, as well as the claims and defenses asserted in this matter.
- II. **Fed.R.Civ.P. 26(a)(1)(A)(ii) / Documents:** There are many documents in the possession, custody or control of Defendants that Plaintiff may use to support her claims in this matter. Some of these documents have been produced pursuant to Ms. Dinger's FOIA requests prior to litigation. It is expected that additional documentation will be discovered and disclosed pursuant to discovery in this matter.

Ms. Dinger is in possession of and will produce to Defendants the following documents:

1. Vet bills related to the animals seized.
2. Pictures of the animals at or around the time of the seizure.
3. Statements from various professionals related to the condition of the animals and the care afforded to them.
4. Documents received pursuant to 2 separate FOIA requests.

III. **Fed.R.Civ.P. 26(a)(1)(A)(iii) / Damages:**

Defendants wrongfully seized, retained, rehomed and, in some cases, killed Plaintiff's animals. Upon information and belief, one of Ms. Dinger's horses was given to one of the individual Defendant's friends and or relatives. Based on Defendants' abhorrent conduct, Ms. Dinger believes that in addition to the compensatory damages recoverable, that a jury will award significant punitive damages against Defendants as well.

In addition, attorney fees and costs, including expert witness fees, will be recoverable under 42 USC § 1983. Attorney Michelle McLean and attorney Jake Lombardo each bill out at \$275/hour.

These disclosures are based upon information currently available to Plaintiff. Plaintiff reserves the right to identify additional witnesses, documents, and damages as they may become known through discovery.

IV. Fed.R.Civ.P. 26(a)(2)(A): The following experts may be used to support Plaintiff's claims in this matter:

1. Dr. Diana Raddatz, DVM. Ms. Raddatz may testify regarding the care provided to the animals at issue and the condition of the animals when they were taken from Ms. Dinger.
2. Plaintiff reserves the right to identify additional expert witnesses as they may become known through discovery, or as may be required to rebut expert testimony that may be offered by any Defendant.

Respectfully submitted,

Dated: October 22, 2018

Bolhouse, Hofstee & McLean

By: /s/ Jake W. Lombardo
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